

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Association of American
Railroads,

Plaintiff,

v.

Dave Yost, *et al.*,

Defendants.

Case No. 2:23-cv-2096

Judge Michael H. Watson


Magistrate Judge Jolson

ORDER

The United States of America recently informed the Court of a new final rule (the "Rule"). ECF No. 48. According to the United States, when the Rule goes into effect in June 2024, this case will be moot. *Id.*

The parties are **ORDERED** to consider whether the Rule will moot all or part of this case. Any party that believes the Rule will moot the case shall file a brief, not to exceed ten pages, **WITHIN TWENTY-ONE DAYS**. Any party that believes the Rule will *not* moot the case shall file a response, not to exceed ten pages, **WITHIN TWENTY-ONE DAYS** of the filing of the opening brief. If the parties agree that the Rule will (or will not) moot the case, they shall file a notice to that effect **WITHIN TWENTY-ONE DAYS**.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT